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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/603,916

06/24/2003

Jari T. Malinen

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EXAMINER

MATTIS, JASON E

ART UNIT

PAPER NUMBER

2616

MAIL DATE

DELIVERY MODE

01/22/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/603,916

Applicant(s)

MALINEN ET AL.

Examiner

Jason E. Mattis

Art Unit

2616

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 06 December 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-20.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: see attached response to arguments.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.

DETAILED ACTION

1. This Advisory Action is in response to the Amendment After-Final filed 12/6/07. Claims 1-20 are currently pending in the application.

Response to Arguments

2. Applicant's arguments filed 12/6/07 have been fully considered but they are not persuasive.

Regarding Applicant's argument that Adrangi et al. does not teach or suggest "the mobile node having only one security association and only one mobility binding with a home agent for the mobile IP functionality" as recited in independent claim 1, the Examiner respectfully disagrees. As in the pointed out in the Response to Arguments of the previous office action, Applicant argues that Adrangi et al. discloses multiple mobility bindings because Adrangi et al. teaches multiple possible mobility bindings (multiple COAs) being used as the MN 140 moves from one subnet to another. Adrangi et al. never discloses using multiple COAs at the same time and merely discloses that the COA is updated as the MN moves in the network. Thus, only one COA (one mobility binding) is established between the MN and the home agent 305 at any time. The claim language states that the mobile node has only one security association and only one mobility binding with a home agent. Since Adrangi et al. never discloses multiple COAs used at the same time, Adrangi et al. discloses the mobile node only having one

mobility binding with the home agent at any given time. Further, even if the claims were amended to allow a mobile node to only ever have one non-changing mobility binding with a home agent, as currently argued by the Applicant, it is unclear whether there is support in the Applicant's original specification for a mobile node having only one mobility binding with a home agent that does not ever change. Lines 20-21 on page 10 of the Applicant's specification state, "As the mobile node moves and changes its IP address it updates the HA according to the IP mobility protocol." Therefore, it appears that the Applicant's invention, as described in the specification, updates the HA with different care-of addresses as the mobile node moves in the network in the same manner as described by Adrangi et al.

Regarding Applicant's argument that the combination of Adrangi et al. and Liu et al. does not render obvious the limitation stating, "wherein the HA is configured to provide a signaling and tunneling functionality and to notify the PHA of the mobile node", the Examiner respectfully disagrees. First, it is noted that the teachings of Adrangi et al. are used to disclose an HA configured to provide a signaling and tunneling functionality, as shown in the rejections above. The only claim limitation missing from the teachings of Adrangi et al. is the limitation of the HA notifying the PHA of the mobile node. Liu et al. discloses a mobile connectivity system 100 that includes a mobile node 120, an MIP proxy 102, which acts as a home agent, and a home agent 112, which acts as a proxy home agent (See page 3 paragraphs 34-35 and Figure 1A of Liu et al.). Liu et al. also discloses the MIP proxy 102 sending a registration request, which is a notification of the mobile node 120, on behalf of the mobile node 120 to the

home agent 112. Thus, Liu does disclose a HA notifying a PHA of a mobile node, as claimed.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason E. Mattis whose telephone number is (571) 272-3154. The examiner can normally be reached on M-F 8AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571) 272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

jem


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